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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/190,887	11/12/1998	MICHEL J. N. CORMIER	ARC 2589 USCIP1	7176

27777 7590 09/16/2005

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EXAMINER

ART UNIT PAPER NUMBER

DATE MAILED: 09/16/2005

28

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER


ART UNIT	PAPER
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09072005

DATE MAILED:

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Commissioner for Patents


Mark L. Shibuya
Examiner
Art Unit: 1639

Art Unit: 1639

Continued Examination Under 37 CFR 1.114 and Response to Amendment

Receipt is acknowledged of a request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e) and a submission, filed on 8/4/2005. The submission, however, is not fully responsive to the prior Office action for the following reasons:

Newly amended claims 1-8 and newly submitted claims 21-34 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: The newly amended and newly submitted claims are drawn to devices for transdermal electrotransport delivery. Applicant's amendment to the claims impermissibly shifts from the elected Group I composition invention to the nonelected Group II device invention.

Furthermore, since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, applicant's amendment is not fully responsive to the prior Office Action. See 37 CFR 1.142(b) and MPEP § 821.03.

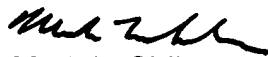
Since the submission appears to be a *bona fide* attempt to provide a complete reply to the prior Office action, applicant is given a shortened statutory period of ONE MONTH or THIRTY DAYS from the mailing date of this letter, whichever is longer, to submit a complete reply. This shortened statutory period for reply supersedes the time period set in the prior Office action. This time period may be extended pursuant to 37 CFR 1.136(a).

Art Unit: 1639

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark L. Shibuya whose telephone number is (571) 272-0806. The examiner can normally be reached on M-F, 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Wang can be reached on (571) 272-0811. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Mark L. Shibuya
Examiner
Art Unit 1639

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